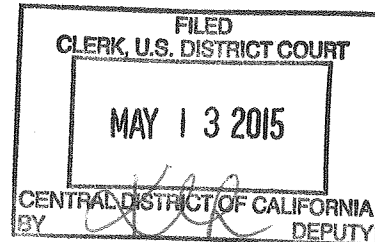


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I HEREBY CERTIFY THAT THIS DOCUMENT WAS SERVED BY  
FIRST CLASS MAIL, POSTAGE PREPAID, TO ALL COUNSEL  
(OR PARTIES) AT THEIR RESPECTIVE MOST RECENT ADDRESS OF  
RECORD IN THIS ACTION ON THIS DATE.

DATED: 5.13.15

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

TYRONE T. TURNER,

Petitioner,

vs.

J. SOTO, Warden,

Respondent.

Case No. CV 15-3342-CAS (RNB)

ORDER TRANSFERRING ACTION TO  
UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF  
CALIFORNIA

Petitioner is a California state prisoner, currently confined at a state prison facility in Lancaster. On May 4, 2015, he filed a Petition for Writ of Habeas Corpus by a Person in State Custody herein. It appears from the face of the Petition that petitioner's custodial status arises out of a 1996 conviction sustained in San Diego County Superior Court. Petitioner is challenging the \$10,000 restitution fine that was imposed by the Superior Court as part of his sentence. Petitioner claims that the trial court erroneously assumed that petitioner would be able to pay from his prison wages.

A petition for writ of habeas corpus may be filed in the United States District Court of either the judicial district in which the petitioner is presently confined or the judicial district in which the petitioner was convicted and sentenced. See 28 U.S.C. § 2241(d). Petitioner presently is confined in a correctional facility located in Los Angeles County and thus within the jurisdictional boundaries of this District (i.e., the

1 Central District of California). See 28 U.S.C. § 84(c). Petitioner was convicted and  
 2 sentenced in San Diego County, which is located within the Southern District of  
 3 California. See 28 U.S.C. § 84(d). Accordingly, jurisdiction exists in both the Central  
 4 and Southern Districts.

5 When a habeas petitioner is challenging his underlying conviction or sentence,  
 6 the district court for the district in which the petitioner was convicted and sentenced  
 7 is a more convenient forum because of the accessibility of evidence, records, and  
 8 witnesses. Thus, it generally is the practice of the district courts in California to  
 9 transfer habeas actions questioning state convictions/sentences to the district in which  
 10 the petitioner was convicted and sentenced. Although two districts have jurisdiction  
 11 to entertain the instant petition, any and all records, witnesses, and evidence necessary  
 12 for the resolution of petitioner's contentions are more readily available in San Diego  
 13 County. See Laue v. Nelson, 279 F. Supp. 265, 266 (N.D. Cal. 1968). Therefore, in  
 14 furtherance of the interest of justice,

15 **IT IS ORDERED** that the Clerk of this Court transfer this matter to the United  
 16 States District Court for the Southern District of California. See 28 U.S.C. § 2241(d).

17 **IT IS FURTHER ORDERED** that the Clerk of this Court serve a copy of this  
 18 Order upon petitioner and upon the California Attorney General.

19  
 20 DATED: May 12, 2015

*Christina A. Snyder*

CHRISTINA A. SNYDER  
 UNITED STATES DISTRICT JUDGE

24 Presented by:

25 *Robert N. Block*  
 26 \_\_\_\_\_  
 27 Robert N. Block  
 28 United States Magistrate Judge